

From: Christopher Tinto/=WDC/Toyota_NY. Sent:8/9/2007 9:46 AM.
To: [-] Jim Press/=Exec/=TMS/Toyota@TOYOTA.
Cc: [-] .
Bcc: [-] Chris_Tinto@tma.toyota.com.
Subject: Fw: URGENT - NHTSA to Upgrade ES350 Floor Mat Investigation.

Jim:

FYI - As a follow up to yesterday's email on this subject, I just received an unofficial copy of the upgrade resume for our information only (attached below), which I forwarded to TMS and TMC.

I was also told to expect that this information would become public on NHTSA's website potentially as early as 8/11 (Saturday). TMS PR has been notified.

Best Regards,
Chris

Chris Tinto

Vice President, Technical and Regulatory Affairs, Safety
Toyota Motor North America, Inc.
601 13th St. NW
Suite 910 South
Washington, DC 20005
Phone (202) 463-6824
NEW CELL NUMBER - (202) 412-7822
email: Chris_Tinto@tma.toyota.com

----- Forwarded by Christopher Tinto/WDC/Toyota_NY on 08/09/2007 12:43 PM -----

Christopher Tinto/WDC/Toyota_NY

08/08/2007 05:00 PM

To jiyunji_ogata@mail.toyota.co.jp, Michiteru Kato/HINPO/TMC0@TMC0@TMCE@TOYOTA
cc George Morino, Dave Zellers, Kirk Forsht, shinichiro_ogata@mail.toyota.co.jp, Kevin
Ro/WDC/Toyota_NY@Toyota_NY, Christina Mullen/WDC/Toyota_NY@Toyota_NY, Akira
Kanatani/WDC/Toyota_NY@Toyota_NY, chris santucci, Dan Robertson/WDC/Toyota_NY@Toyota_NY,
hkato@tma.toyota.com, Megumi Suzuki/WDC/Toyota_NY@Toyota_NY
Subject URGENT - NHTSA to Upgrade ES350 Floor Mat Investigation

FYI - I just received a "heads up" call from NHTSA regarding the agency's intention to upgrade the Preliminary investigation (PE07-016) into the Lexus ES350 All Weather Floor Mats to an Engineering Analysis (EA).

After reviewing Toyota's submission of June 11, as well as its own independent testing and field evaluation of incidents, the agency believes that it should upgrade based on the severity of the incidents (i.e. some high-speed, wide-open-throttle complaints), coupled with its latest count of 40 complaints, 8 crashes and 12 injuries.

Although NHTSA recognizes the efforts we have already made to alert dealers and owners of the potential interference issue (when the mats are incorrectly stacked), NHTSA also believes the design of the floor mat itself (weight, cut, fit) lends itself to causing unintended pedal application even when the mat is not stacked. In further conversation, although the agency can not legally 'prescribe' a fix, they felt that slightly modifying the existing mat may help alleviate the problem.

I expressed our appreciation for the heads up, as well as encouraged future close dialogue to attempt to come to a mutually acceptable solution.

We will forward the resume as soon as it becomes available, and at that time we will also try to find out when this is likely to become public, to gauge timing constraints for Q&A preparation.

Best Regards,
Chris

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Vice President, Technical and Regulatory Affairs, Safety
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Suite 910 South
Washington, DC 20005
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email: Chris_Tinto@tma.toyota.com